

REMARKS/ARGUMENTS

This is in response to the Office Action of January 26, 2005. The period for response was extended by one (1) month to May 26, 2005 by the enclosed Petition for Extension of Time. In that Office Action Claim 4 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner stated that the dependency of Claim 4 was unclear since it depended from itself. Claims 1-11 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Beck, Jr. et al. (5,632,748).

Claim 4 was amended to correct the deficiency pointed out by the Examiner. Claim 4 now properly depends from Claim 1.

The rejection of Claim 4 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention is respectfully traversed.

Applicants have amended Claim 4 to depend from Claim 1.

Accordingly, since this rejection has been overcome by this amendment, the Examiner is respectfully requested to withdraw this rejection.

The rejection of Claims 1-11 under 35 U.S.C. 103 (a), as being unpatentable over Beck, Jr. et al (5,632,748) is respectfully traversed.

Beck, Jr. et al neither disclose nor suggest Applicants' claimed invention. Although Beck et al. disclose an interference screw for use in ACL reconstruction, Beck et al. neither disclose, suggest nor recognize Applicants' novel method using unique compositions for interference screws. These unique compositions of biodegradable polymers include a bioceramic. Surprisingly and unexpectedly, Applicants' interference screws comprising a copolymer of poly (lactic acid) and poly (glycolic acid) and a bioceramic provide rapid and substantially complete replacement of the interference screw over time with the body's autologous bone tissue. The Examiner has pointed to no teaching suggesting the desirability of using Applicants' copolymer or of using the various bioceramics used by Applicants in an interference screw utilized in an ACL surgical procedure. Similarly, the Examiner has not pointed to any teachings suggesting the desirability of the mole percentages of poly (lactic acid) and poly (glycolic acid) in Applicants' copolymers, nor does Examiner point to any teaching suggesting or disclosing the desirability of the volume percentages of bioceramic in Applicants' compositions used to make interference screws that are used in Applicants' novel method.

Finally, the Examiner has not shown a teaching or suggestion to use Applicants' interference screws in an anterior cruciate ligament replacement surgical procedure as claimed by Applicants to achieve the superior surgical outcome demonstrated by Applicants.

Accordingly, the Examiner is respectfully requested to withdraw this rejection.

Therefore, on the basis of the foregoing discussion, the Examiner is respectfully requested to withdraw the rejections, make the amendment to the claims of record, and allow the claims as amended.

Respectfully submitted,

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Dated: May 12, 2005
Docket No. MIT-5021